

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION**

**UNITED STATES OF AMERICA**

**v.**

**KIRK ESCOLLE MERCER (1)**

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**CRIMINAL NO. 4:19-CR-310-SDJ-AGD-1**


**MEMORANDUM ADOPTING REPORT AND  
RECOMMENDATION OF UNITED STATES MAGISTRATE JUDGE**

Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the Magistrate Judge pursuant to 28 U.S.C. § 636. On August 15, 2024, the Magistrate Judge entered proposed findings of fact and recommendations (Dkt. #53) that Defendant be committed to the custody of the Bureau of Prisons to be imprisoned for a term of twelve (12) months and one (1) day, with no supervised release to follow. The Magistrate Judge further recommended that Defendant be placed at FCI Seagoville in Seagoville, Texas, if appropriate.

Having received the Report of the United States Magistrate Judge (Dkt. #53) and having received Defendant's waiver of his right to object to the proposed findings and recommendations of the Magistrate Judge (Dkt. #52), the Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and adopts the Magistrate Judge's report as the findings and conclusions of the Court. Accordingly, Defendant is hereby committed to the custody of the Bureau of Prisons to be

imprisoned for a term of twelve (12) months and one (1) day, with no supervised release to follow. The Court recommends that Defendant be placed at FCI Seagoville in Seagoville, Texas, if appropriate.

**So ORDERED and SIGNED this 1st day of November, 2024.**

  
SEAN D. JORDAN  
UNITED STATES DISTRICT JUDGE